



START ACTION NOTICE #2018-09

1. TYPE OF ACTION:

Amend 7 **DE Admin. Code** 3507 Black Sea Bass Size Limit; Trip Limits, Seasons; Quotas.

2. PURPOSE OF ACTION:

This action is to adopt provisions consistent with federal measures proposed for the recreational Black Sea Bass fishery in compliance with Addendum XXX to the Atlantic States Marine Fisheries Commission's (ASMFC) Interstate Fishery Management Plan for Summer Flounder, Scup [and] Black Sea Bass. Specifically, the proposed action will eliminate Delaware's September 22 through October 21 closure and set the open season from May 15 through December 31 for the recreational Black Sea Bass fishery.

Black Sea Bass are cooperatively managed by the ASMFC and the Mid-Atlantic Fishery Management Council (MAFMC) through the joint Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. The ASMFC and MAFMC jointly approved a coastwise 2018 recreational harvest limit (RHL) for Black Sea Bass of 3.66 million pounds. Addendum XXX uses a combination of exploitable biomass information from the latest stock assessment and historical harvest to allocate the coastwise RHL between three regions. The ASMFC's Black Sea Bass Management Board approved measures that require the southern region states (Delaware to North Carolina) to implement recreational fishery management measures for Black Sea Bass consistent with those measures required for federal waters. The MAFMC's recommended federal measures for the recreational fishery include a 15-fish possession limit, a 12.5-inch minimum size limit and an open season from May 15 through December 31. These measures, when combined with measures being implemented in the other regions (Massachusetts through New York and New Jersey), are predicted to constrain recreational Black Sea Bass landings at or below the 2018 coastwise RHL.

3. STATUTORY BASIS:

7 **Del. C.** §901 & §903 (a), (b) & (e)

4. IS THIS PROPOSED REGULATORY ACTION REQUIRED AS A RESULT OF FEDERAL STATUTE OR REGULATION? IF SO, PROVIDE LINK TO FEDERAL MANDATE.

Yes. <http://www.asmfc.org/uploads/file/ACFCMA.pdf>

5. DATE OF MOST RECENT REVIEW/AMENDMENT:

The Tidal Finfish Regulations were most recently amended September 1, 2017.

6. LIKELY AFFECTED PUBLIC:

Recreational Black Sea Bass anglers (private and for-hire) and associated businesses

7. PROPOSED SCHEDULE OF ACTIVITIES:

Register Notice Publication – June 1, 2018

Public Hearing - June 2018

Effective date - September 2018

8. REVIEW COMMITTEE:

The Advisory Council on Tidal Fin Fisheries

9. RESPONSIBLE STAFF MEMBER:

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10. APPROVALS:

	
Stewart Michels	David E. E Saveikis
Responsible Staff Member	Director
4/24/18	4/24/18
Date	Date

	
Shawn M. Garvin	
Secretary	
	5/15/18
	Date